

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

GRACE MALDONADO,

Plaintiff,

Case No. 09-C-1173

vs.

RACINE COUNTY, WISCONSIN

and

TONIA PRATHER,

Defendants.

JOINT REPORT PURSUANT TO FED. R. CIV. P. 26(F)

In satisfaction of the requirements of Federal Rule of Civil Procedure 26(f) and the Court's Notice of Scheduling Conference, the parties jointly submit the following:

1. **Date and Place of the Meeting.** The following persons participated in a Rule 26(f) Conference on March 23, 2010 by telephone:

Plaintiff was represented at the meeting by her attorney Nicholas Fairweather of Hawks Quindel, S.C.

Defendant Racine County was represented at the meeting by its attorney Elizabeth M. Drew of Michael Best & Friedrich LLP.

Defendant Tonia Prather was represented at the meeting by her attorney Monte E. Weiss of Deutch & Weiss, LLC.

2. **Initial Disclosures**

The parties will complete by **May 31, 2010** the initial disclosures required by Rule 26(a)(1).

3. **Brief Statement of the Nature of the Case**

This case involves Ms. Maldonado's claim that Defendants unlawfully revoked her childcare certification in a manner that deprived Ms. Maldonado of her constitutional right to due process. 42 U.S.C. § 1983 provides federal court jurisdiction in this matter. Defendants have moved to dismiss Ms. Maldonado's Complaint and Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6).

4. Pleadings

On January 4, 2010, Plaintiff filed and served her Complaint in the instant action. On January 25, 2010, Defendants moved to dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6). On February 16, 2010, Plaintiff filed an Amended Complaint and on March 4, 2010, Defendants moved to dismiss Plaintiff's Amended Complaint and briefing on such motion is currently underway.

The parties do not anticipate further amendment of the pleadings and propose that all motions which seek to amend the pleadings or to add parties should be filed and served on or before **May 1, 2010**. Defendants' Answer, if required, will be provided in accordance with Fed. R. Civ. P. 12.

5. Discovery Plan

The parties do not believe that discovery needs to be conducted in phases or limited to focus on particular issues. The parties do not require special orders concerning the disclosure of electronically stored information. The parties propose this discovery plan.

- (a) Discovery shall be completed on or before **November 1, 2010**. Parties shall serve discovery requests sufficiently in advance of the November 1, 2010 discovery completion date to ensure that responses to such requests are due no later than that date.
- (b) Expert discovery shall be completed on or before **September 1, 2010**.
 - i. Plaintiff will identify her experts and provide her expert reports by **July 30, 2010**.
 - ii. Defendants will identify their experts and provide their expert reports by **August 31, 2010**.

6. Other Matters

- (a) All dispositive motions shall be served, filed on or before **December 1, 2010**.
- (b) This case shall be ready for trial in April, 2011.
- (c) The anticipated length of the trial is **2-3** days.

7. Settlement

- (a) No settlement demand has been made by Plaintiff. The parties have not engaged in settlement discussions to date.

8. Rule 16 Conference Information

The names and direct telephone numbers for the participants in the April 5, 2010 Scheduling Conference are as follows:

- (a) Aaron Halstead and Nicholas Fairweather for Plaintiff: 608-257-0400;
- (b) Chuck Palmer and Elizabeth Drew for Racine County: 262-956-6518; and
- (c) Monte Weiss for Tonia Prather: 414-247-9958.

Dated this 26th day of March, 2010.

MICHAEL BEST & FRIEDRICH LLP

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Dated this 26th day of March, 2010.

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Dated this 26th day of March, 2010.

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